

10/551394

Attorney Docket No. 113356-145117

Patent

JC12 Rec'd PCT/PS 29 SEP 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application for:

Davey et al.

Application No.: Filed concurrently

Filed: September 29, 2005

For: A METHOD AND SYSTEM FOR  
QUALITY OF SERVICE  
OPTIMISATION IN A DATA  
NETWORK

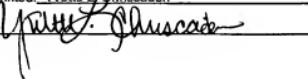
Examiner: To be assigned

Art Group: To be assigned

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Sir:

Pursuant to 37 C.F.R. § 1.97(g), the submission of this Information Disclosure Statement (IDS) is not to be construed as a representation that a search has been made, and, pursuant to 37 C.F.R. § 1.97(h), the submission of this IDS is not to be construed as an admission that the information cited in this IDS is material to patentability.

This IDS is being submitted under one or more of the following sections of 37

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X 37 C.F.R. § 1.97(b). Filed:

- (1) Within three months of a National Application other than a CPA;
- (2) Within three months of entry into National Stage;
- (3) Before mailing of a first Office Action on the merits; or
- (4) Before mailing of a first Office Action after filing an RCE.

       37 C.F.R. § 1.97(c). Filed before the mailing of a Final Office Action, Notice of Allowance, or an action that otherwise closes prosecution.

And, ONE of the following:

(1) One statement from 37 C.F.R. § 1.97(e);

      (e)(1) The person signing below certifies that each item of information contained in this IDS was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS; or

      (e)(2) The person signing below certifies that no item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing below after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 1.56(c) more than three months prior to filing this IDS.

OR

(2) The fee set forth in 37 C.F.R. § 1.17(p).

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And, BOTH of the following:

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(2) The fee set forth in 37 C.F.R. § 1.17(p).

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37 C.F.R. § 1.98(c) as being cumulative (marked with an "\*" on the Form PTO-1449).

37 C.F.R. § 1.98(d) as being previously submitted in parent application 1, to which the present application claims priority under 35 U.S.C. § 120.

(B) 1273 Off. Gaz. Pat. Office 55 as being submitted with respect to an application filed after June 30, 2003.

The Commissioner is hereby authorized to charge shortages or credit overpayments to Deposit Account No. 500393. A Fee Transmittal is enclosed in duplicate for fee processing purposes.

Respectfully submitted,  
SCHWABE, WILLIAMSON & WYATT, P.C.

Dated: September 29, 2005

Kyle H. Flindt  
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PTO/SB/08A (08-03)

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## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

*(Use as many sheets as necessary)*

Sheet 1

of 12

**Complete if Known**

Application Number	Filed concurrently
Filing Date	September 29, 2005
First Named Inventor	Matthew Davey
Art Unit	To be assigned
Examiner Name	To be assigned
Attorney Docket Number	113356-145117

U. S. PATENT DOCUMENTS

## FOREIGN PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS				
Examiner Initials*	Cite No.	Foreign Patent Document Country Code* Number* Kind Code* (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
J.K.J.	1	EP 0 932 280	07-28-1999	Reininger et al
J.K.J.	2	EP 1 045 555	10-18-2000	Hanko

Examiner Signature /Jutai Kao/ Date Considered 12/08/2008

<sup>1</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>2</sup>See Kinds Codes of USPTO Patent documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO ST.3). For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>4</sup>Kind of document (e.g., Standard, etc.).

as indicated on the document under **WFO-Standard S.1** if possible. Applicant is to place a check mark here if English language Translation is attached.

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2007-09-29 29 SEP 2005

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<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(Use as many sheets as necessary)</i>			Application Number	Filed concurrently
			Filing Date	September 29, 2005
			First Named Inventor	Matthew Davey
			Art Unit	To be assigned
			Examiner Name	To be assigned
Sheet	of		Attorney Docket Number	113356-145117

<b>NON PATENT LITERATURE DOCUMENTS</b>				
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.		
/J.K./	3	RAMPAL, Sanjeev; REEVES, Douglas S.; VINIOTIS, Ioannis, "Dynamic Resource Allocation Based on Measured QoS", Technical Report TR,		
/J.K./		January 1996, XP002285848, North Carolina State University, Retrieved from the Internet: <URL: http://rtcomm.csc.ncsu.edu/resalloc.htm> on 6/22/2004		
/J.K./	4	FULP, Erin; REEVES, Douglas S., "On-line Dynamic Bandwidth Allocation", Proceedings of the IEEE International Conference on Network Protocols,		
/J.K./		October 1997, pages 134-141, XP002285849, Retrieved from the Internet: <URL: www.cs.wfu.edu/fulp/Papers/icnp97.pdf> on 6/22/2004		

Examiner Signature	/Jutai Kao/		Date Considered	12/08/2008
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.

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